

Petitioner Wior does not wish to further burden this Court with additional, lengthy briefing regarding the parties' Surreply and Sur-Surreply briefs.

BellSouth's Reply Memorandum in Support of Its Cross Motion to Stay Litigation and Compel Arbitration (DCKT #17) relied on a new affidavit, nearly 200 pages of new exhibits, and new arguments that were neither presented in its opening brief (DCKT #15) nor consistent with its prior statements. (Petitioner's Motion for Leave to File a Surreply Brief, at 1 (DCKT #18) ("Wior's Motion").) As such, Petitioner's Surreply Brief (DCKT #18-1) in response BellSouth's new arguments and evidence was not a "do-over" of anything, and Wior's Motion should be granted. *See Atlanta Fiberglass USA, LLC v. KPI, Co., Ltd.*, No. 11-CV-4367-RWS, 2013 WL 4786912, at *4 (N.D. Ga. Sept. 6, 2013).

If the Court agrees, Wior has no objection to the Court granting BellSouth's Motion for Leave to File a Sur-Surreply Brief (DCKT #25) ("BellSouth's Motion"). Although Wior strongly disagrees with the arguments presented in BellSouth's Sur-Surreply Brief in Response to Petitioner's Surreply Brief (DCKT #25-1), Wior's positions on the issues presented in BellSouth's Sur-Surreply Brief are already before the Court. (*See, e.g.*, DCKT #18-1, 31.) If, however, the Court denies Wior's Motion, the Court should also deny BellSouth's Motion.

Respectfully submitted this 17th day of February, 2016.

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CERTIFICATE OF COMPLIANCE

I hereby certify that, pursuant to Local Rules 5.1C and 7.1D of the United States District Court for the Northern District of Georgia, the foregoing Motion to Enjoin the Arbitration and Incorporated Memorandum of Law complies with the font and point selections approved by the Court in Local Rule 5.1C. The foregoing pleading was prepared on a computer using 14-point Times New Roman font.

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CERTIFICATE OF SERVICE

I hereby certify that on February 17, 2016, I caused a copy of the foregoing **PETITIONER'S REPLY BRIEF IN SUPPORT OF HIS MOTION FOR LEAVE TO FILE A SURREPLY BRIEF AND OPPOSITION TO RESPONDENT'S MOTION FOR LEAVE TO FILE SUR-SURREPLY BRIEF** to be electronically filed with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification to the following attorneys of record:

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